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C O N F I D E N T I A L SECTION 01 OF 03 BAKU 001714

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SUBJECT: UPDATE ON OPPOSITION EVICTION; U.S, UK AND EU
AMBASSADORS ENGAGE PRESIDENTIAL CHIEF OF STAFF

REF: BAKU 1713

Classified By: Ambassador Anne E. Derse for Reasons 1.4 (b) and (d).

¶1. (U) Early morning on November 25 Ministry of Justice, Ministry of Internal Affairs and city officials carried out the November 24 court-ordered eviction of the opposition Popular Front Party (PFP), the opposition newspapers Azadliq and Bizim Yol and Turan news agency from their central Baku headquarters. (The building, located at 33 Khagani Street near the Embassy Annex, housed the PFP, its media affiliates and the Turan news agency since 1992.) At around 8AM, Emboffs observed roughly 150 police officers form lines on either end of the block to restrict access to the facility. Police permitted a handful of PFP, Azadliq, Bizim Yol and Turan staff to enter the premises. By 9AM the first of seven moving trucks pulled up to the building and GOAJ-hired movers began removing the tenants' possessions and equipment - tables, chairs, computers, files. The trucks arrived and departed for several hours, and then followed police escorts to vacant facilities on the outskirts of the city where they were then unloaded. Reporters from all leading media organizations (except ANS) covered the events.

¶2. (U) The eviction proceeded calmly throughout the morning. The handful of opposition officials and journalists we spoke to on the scene appeared despondent, resigned and unwilling to mount a protest that could have given the police an excuse to use excessive force. Turan News Agency chief Mehman Aliyev told poloffs that officials had ordered the movers to deposit their loads at predetermined buildings, even though Turan had asked that the equipment be moved to another local Turan branch office in Baku instead. Aliyev was concerned that it would take days or weeks to repossess the equipment, which would prevent Turan from quickly resuming its daily news service. However, late in the day, Aliyev reported that Turan staff were able to obtain access to and repossess most of the equipment.

¶3. (C) PFP Deputy Chairman Fuad Mustafayev complained that officials were telling them that they could only repossess their property if the party moved into the building offered by the GOAJ two weeks ago, a location the opposition rejected because it was on the outskirts of the city. Later in the day, officials directed the moving trucks to deposit their loads at the building. Poloff visited the site in the Keshle settlement on the edge of the city, and reported that movers dumped the PFP and Bizim Yol's possessions on the building's second floor, damaging or breaking much of the furniture in the process. PFP officials said that the party's extensive video archive was seriously damaged. Poloff also reported that the building lacked water, heat or electricity, and that its third floor was occupied by an IDP community. PFP leaders

said that they will not use this office at all and instead will work out of the Azerbaijan Democratic Party's (ADP) offices for the time being.

14. (U) In the late afternoon, opposition party leaders and journalists assembled at the ADP's office to assess the situation and consider their options. According to poloff, at the meeting, which included PFP chairman Ali Kerimli, ADP deputy chairman Sardar Jalaloglu, Musavat chairman Isa Gambar, National Liberal Party chairwomen Lala Shovket, the opposition leaders announced that they would immediately appeal the court's decision, adding that they had not yet seen a text of the November 24 eviction order. Kerimli told the group that "It is not our job to become heroes to fight this dictatorship, it should be someone else," alluding, we understand, to the need to avoid a confrontation with the police. The group also debated temporarily halting all opposition political activities in protest of the GOAJ eviction in the hope of drawing further international attention. However, Musavat chairman Isa Gambar rejected this option telling the others that to halt their political activity would be to play into the government's hands. The opposition leaders agreed to postpone a decision until November 27 when they plan to meet again.

CHIEF OF STAFF MEHDIYEV: ANS DECISION WILL BE REVIEWED, "NOT THE FINAL WORD."

15. (C) The Ambassador, UK Ambassador Bristow and German Ambassador Stachinger (representing the EU) met for over two hours with Presidential Chief of Staff Ramiz Mehdiyev, who was joined by Apparatus advisors Ali Hassanov, Novruz Mammedov, Fuad Alesgerov, and Shahin Aliyev. Highlighting that

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capitals are registering serious concern and that they wanted the GOAJ to fully understand the effect its actions are having in the West, the Ambassadors underscored that the closure of ANS and the eviction suggested that the GOAJ was aiming to suppress free expression and opposition activity, flying in the face of President Aliyev's discussions in Washington and Brussels, Azerbaijan's stated policy of democratization and its many international commitments on reform, including those in the European Neighborhood Plan (ENP) signed just ten days ago. They noted that these steps had serious implications both for perceptions of Azerbaijan and development of the relationships with the US and the EU. Whatever the technical and legal arguments underlying them, the closure and eviction have convinced the world that Azerbaijan is stepping back from democracy and respect for human rights. They urged the GOAJ to take immediate steps in both cases that would clearly illustrate that Azerbaijan is not stepping back from its support for democracy and media freedom, by, for example, finding a way to allow ANS to continue to broadcast as the National Radio and Television Council (NTRC) pursues the legal and regulatory issues it has with ANS, and by ensuring that all evicted entities are able to immediately, and freely, continue their work.

16. (C) Mehdiyev stated that an impression that Azerbaijan is going backwards on democracy is "completely wrong." Azerbaijan remains committed to the ENP and its other international commitments. Azerbaijan has "chosen our pathway -- we are a strategic partner of the US." Azerbaijan's policy of developing democracy and integrating with the West was chosen freely and remains firm -- "We will not deviate." He explained at length the history of the Azadliq building case that led to the court to decide the building was being occupied illegally. He said the government had offered the evicted entities alternative sites, but they "did not want to engage in this dialogue." He said claims that records or equipment had been confiscated were "blatant lies," all evicted entities could repossess their equipment, which government trucks had helped remove from the building, and continue their activities immediately,

"no one will prevent them." He cited 11 legal and regulatory violations the NRTC had identified against ANS, including tax violations, as the reason for its recent closure. He said it is his understanding that "the NRTC has decided and ANS must abide by the law," but that this "doesn't mean we've finalized and put an end on that - we need to review the situation and find a solution -- this is not the final word."

¶7. (C) Mehdiyev also offered a lengthy discourse on Azerbaijan's geopolitical situation, saying that Azerbaijan's "primordial goal" is to "maintain the stability that will allow economic and political development -- you should be with us in extending assistance, if you want to see Azerbaijan as a developed and independent country fully integrated into democratic structures we must work together."

Iran was exerting "huge pressure," and making efforts, officially and unofficially, to undermine Azerbaijan's stability. Sahar TV openly addresses the Azerbaijani people, "blaming, condemning and blackmailing" the GOAJ and calling on the Azeri people to take up arms against the government. He claimed the recent publication of an anti-Islamic article in the Sanat newspaper and unrest in Nardaran were "well prepared by the Iranian special services" to test the Azeri people, and Iran is "meddling in our schools...radical Islam is of great concern, and the West must be with us on these issues." Russia does not wish to see Azerbaijan's integration in the EU, NATO and the West; Azerbaijan's purportedly normal relations with Russia "are just the tip of the iceberg, we have to deal with the rest." Developments in Georgia have put strong and unpleasant pressure on Azerbaijan. "We should have an intensified relationship. 2008 is approaching and there will be serious pressures and provocations. You should help us and not allow any source to violate stability and cause us to deviate from our course."

¶8. (C) Some opposition members, he said, had been in touch with Turkish, Iranian, Russian and Armenian special services. "We want to see a normal civil European opposition in Azerbaijan," Mehdiyev said. "Some in the opposition political ranks understand this, but pressure exerted by leaders prevents internal political reform within their parties. They do not allow their young people to move up and be active."

RECOMMENDED NEXT STEPS

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¶9. (C) The Ambassadors agreed that given Mehdiyev's assurance on evictees' repossession of records and equipment and that they may continue activities unimpeded, as well as his statement that the ANS issue will be reviewed, they would monitor the situation over the weekend and discuss next steps on Monday, November 27. OSCE Baku has called a meeting of OSCE member state Ambassadors on November 27 which will provide the opportunity for the Friends of Azerbaijan and like-minded Embassies to evaluate and agree on next steps. The visit next week of EU Ambassador Terri Hakkala offers another opportunity to weigh in with the GOAJ.

¶10. (U) Note: The Embassy issued a consular Warden Notice to the American community and disseminated a security notice to the Embassy community November 25 urging all to Americans to avoid the downtown Baku area near the Azadliq/PFP building.
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